

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SKRIBBLEENO ENTERTAINMENT, INC., et al.,)
)
 Plaintiff(s),)
)
 vs.)
)
 CHATEAU NIGHTCLUB, LLC, et al.,)
)
 Defendant(s).)

Case No. 2:14-cv-00090-GMN-NJK
 ORDER DENYING STIPULATION
 TO STAY DISCOVERY
 (Docket No. 24)

On June 4, 2014, the Court ordered the parties to show cause why they failed to comply with the Local Rules in not timely filing a proposed discovery plan. Docket No. 23. The parties have now responded to the order to show cause, indicating that “the pending Motion [to dismiss] makes submission of a joint proposed discovery plan and scheduling order premature.” Docket No. 24 at 2. The case law in this district is abundantly clear that “[t]he Federal Rules of Civil Procedure do not provide for automatic or blanket stays of discovery when a potentially dispositive motion is pending.” *Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev. 2013) (quoting *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 601 (D. Nev. 2011)). Nor is it a sufficient ground to stay discovery that a ruling on a dispositive motion may impact the scope of discovery needed. *See Kor Media*, 294 F.R.D. at 583 (explaining that a stay of discovery is justified when the Court is “convinced” that the plaintiff will be unable to state a claim). To allow stays of discovery more broadly risks creating unnecessary delay in many cases. *Id.* (quoting *Trzaska v. Int’l Game Tech.*, 2011 WL 1233298, *4 (D. Nev. Mar. 29, 2011)).

1 Accordingly, the stipulation to stay discovery is DENIED without prejudice. To the extent the
2 parties continue to seek a stay of discovery pending resolution of the motion to dismiss, they must
3 address the standards outlined in the caselaw identified above. The parties must file a joint proposed
4 discovery plan and scheduling order, or a proper renewed request for stay, no later than June 16, 2014.

5 IT IS SO ORDERED.

6 DATED: June 12, 2014

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9 NANCY J. KOPPE
10 United States Magistrate Judge
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